Regulation I of 1873 for the peace & government of certain Districts on the Eastern Frontier of Bengal

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BENGAL.

REGULATION I OF 1873.

REGULATION UNDER ACT XXXIII VIC., CAP. 1.

SANCTIONED BY THE GOVERNOR-GENERAL IN COUNCIL,
2ND OCTOBER 1873.

A Regulation for the Peace and Government of certain Districts on the Eastern Frontier of Bengal.

WHEREAS the Secretary of State for India in Council has, by resolution in Council, declared the provisions of Act XXXIII Vic., Cap. 3, Section 1, to be applicable to the districts of Kamroop, Durrung, Nowgong, Seebsaugor, Luckimpore, Garo Hills, Khasi and Jynteah Hills, Naga Hills, Cachar, and Chittagong Hills;

And whereas the Lieutenant-Governor of Bengal has proposed to the Governor-General in Council a draft of the following Regulation, together with the reasons for proposing the same, for the peace and government of the said districts;

And whereas the Governor-General in Council has taken such draft and reasons into consideration, and has approved of such draft, and the same has received the Governor-General's assent;—

The following Regulation is now published in the *Gazette of India*, and will be published in the *Calcutta Gazette*, and will thereupon have the force of law, under the thirty-third of Victoria, Chapter III:—

1. This Regulation shall extend to the districts named in the preamble, and shall come into force on the 1st of November 1873.

2. It shall be lawful for the local Government of Bengal, with the previous sanction of the Governor-General in Council, to prescribe, and from time to time to alter, by notification in the *Calcutta Gazette*, a line to be called "The Inner Line" in each or any of the above-named districts.

The local Government may, by notification in the *Calcutta Gazette*, prohibit all British subjects, or any class of British subjects, or any persons residing in or passing through such districts, from going beyond such line without a pass under the hand and seal of the chief executive officer of such district, or of such other officer as he may authorize to grant such pass; and the local Government may from time to time cancel or vary such prohibition.

3. Any British subject or other person so prohibited who, after "The Inner Line" has been prescribed and notified in accordance with Section 2 of this Regulation, goes beyond such line without a pass, shall be liable, on conviction before a Magistrate, to a fine not exceeding Rs. 100 for the first offence, and to a fine not exceeding Rs. 500, or to simple or rigorous imprisonment for a term not exceeding three months, or to both, for each subsequent offence.

4. The local Government may from time to time prescribe, by notification in the *Calcutta Gazette*, a form of pass for each district, and may in such form fix such restrictions or conditions as the local Government may deem fit, and may require the payment of such dues and fees for such passes as to the local Government may seem proper. Any holder of such pass shall, on breach of any such restriction or condition, be liable on conviction to a fine not exceeding Rs. 100 for a first offence, and to a fine not exceeding Rs. 500, or to simple or rigorous imprisonment, which may extend to three months, or to both, for each subsequent offence.

5. Any rubber, wax, ivory, or other jungle product found in the possession of any person convicted of an offence under this

Regulation may be confiscated to Government by an order to be passed at the time of conviction by the Magistrate.

6 The chief executive officer of any district comprised in any notification as aforesaid may, subject to approval of the local Government, authorize, by a written instrument under his hand, any public servant to arrest and bring before him with the least practicable delay—

Firstly—Any person prohibited from crossing "The Inner Line" prescribed for such district, if such person shall be found beyond the line, and when asked to produce his pass shall refuse or be unable so to do;

Secondly—Any person to whom a pass may have been granted, and who has committed any infraction of its conditions.

7. It shall not be lawful for any British subject or other person, not being a native of the district comprised in the preamble of this Regulation, to acquire any interest in land or the product of land beyond the said "Inner Line" without the sanction of the local Government, or such officer as the local Government shall appoint in this behalf. Any interest so acquired may be dealt with as the local Government or its said officer shall direct. The local Government may also, by notification in the *Calcutta Gazette*, extend the prohibition contained in this section to any class of persons, natives of the said districts, and may from time to time in like manner cancel or vary such extension.

8. Whoever, without the written permission of an officer authorized by the local Government to grant such permission, kills or captures, or attempts to kill or capture, or abets, within the meaning of the Indian Penal Code, the killing or capturing of a wild elephant in any of the districts to which this Regulation extends, shall be liable to a fine not exceeding Rs. 200 for every such elephant, and any elephant so killed or captured shall be

confiscated to Government: Provided that no person who kills, or attempts to kill, or abets the killing of an elephant in protection of himself, his houses, or his crops, shall be liable to punishment under this section; and provided also that every person who, in the like case, captures, or attempts to capture, or abets the capture of an elephant, shall be exempt from fine under this section, but shall, if the elephant be captured, be bound to surrender it to Government, or to pay such royalty thereon as the local Government may from time to time direct.

9. It shall be competent for the local Government to make rules for the issue of licenses to kill or capture elephants, and for all purposes connected with the capture of elephants.

10. The prosecution for every offence punishable under Section 8 of this Regulation shall be commenced within six calender months after the offence is committed.

11. Offences against this Regulation may be tried by Magistrates of the first or second class, and shall be bailable.